

REMARKS

Claims 1, 3-9, 11, 12, 14-19, 21, 22, 24, 25, 27-48 and 50-52 will be pending upon entry of this Amendment D and Response After RCE. Claim 19 has been amended to require the product to comprise from about 40% by weight to about 70% by weight of pullulan. Support for this amendment can be found in the instant specification in paragraphs [0021] and [0022]. Claims 20 and 49 have been cancelled. Additionally, claim 52 has been added. Support for new claim 52 can be found in pending claims 1, 19, and 51, and further, in the specification in paragraphs [0012], [0021], and [0034]. Applicants respectfully request reconsideration and allowance of all pending claims.

1. Rejection of the Claim 51 under 35 U.S.C. §103(a)

Reconsideration is requested of the rejection of claim 51 under 35 U.S.C. §103(a) as being unpatentable over Fox (U.S. Application Publication No. 2004/0071755) in view of Watanabe (JP 61-176512).

Claim 51 is directed to a single-use body treatment product comprising from about 40% by weight to about 70% by weight of a water-soluble film forming polymeric material, from about 0.01% by weight to about 50% by weight of a moisturizing agent, and from about 0.1% by weight to about 50% by weight of a solidifying agent. The single-use body treatment product is a film and further comprises a single layer. The solidifying agent is selected from the group consisting of animal waxes, vegetable waxes, mineral waxes, synthetic waxes, bayberry wax, beeswax C₃₀, alkyl dimethicone, candelilla wax, carnauba, ceresin,

cetyl esters, esparto, hydrogenated cottonseed oil, hydrogenated microcrystalline wax, hydrogenated rice bran wax, japan wax, microcrystalline wax, mink wax, motan acid wax, motan wax, ouricury wax, ozokerite parrafin, PEG-6 beeswax, PEG-8 beeswax, rezowax, rice bran wax, shellac wax, spent grain wax, spermaceti wax, steryl dimethicone, synthetic beeswax, synthetic candelilla wax, synthetic carnuba wax, synthetic japan wax, solid fatty acid esters, fatty alcohols, fatty acids, copolymers or polymeric blends of ethylene, propylene, butylene, styrene, or vinyl acetate, and combinations thereof.

Fox discloses a water soluble sheet or film for use in the personal care field. The water soluble sheets include a "base composition" that includes from about 0.75% to about 5% by weight of a water soluble film forming polymer; from about 6.5% to about 23% by weight of polyvinyl alcohol; and from about 0.75% to about 12% by weight of a humectant such as propylene glycol.¹ Suitable materials for use as the water soluble film forming polymer include polyvinylpyrrolidone (PVP), polyquaternium 10, magnesium aluminum silicate, VP/VA copolymer, ethyl ester of PVM/MA copolymer, and sodium magnesium silicate.² Furthermore, the base composition can be used with a variety of surfactants, which when exposed to water, will dissolve and provide personal cleansing such as can be obtained from a soap bar or a liquid body wash.³ Significantly, Fox fails to disclose a product comprising **from about 40% by weight to about 70% by weight of a water-soluble film forming polymeric material and a solidifying agent selected from the group consisting of animal**

¹ U.S. 2004/0071755 at paragraph 9.

² *Id.* at paragraph 10.

waxes, vegetable waxes, mineral waxes, synthetic waxes, bayberry wax, beeswax C₃₀ alkyl dimethicone, candelilla wax, carnauba, ceresin, cetyl esters, esparto, hydrogenated cottonseed oil, hydrogenated microcrystalline wax, hydrogenated rice bran wax, japan wax, microcrystalline wax, mink wax, motan acid wax, motan wax, ouricury wax, ozokerite parrafin, PEG-6 beeswax, PEG-8 beeswax, rezowax, rice bran wax, shellac wax, spent grain wax, spermaceti wax, steryl dimethicone, synthetic beeswax, synthetic candelilla wax, synthetic carnuba wax, synthetic japan wax, solid fatty acid esters, fatty alcohols, fatty acids, copolymers or polymeric blends of ethylene, propylene, butylene, styrene, or vinyl acetate, and combinations thereof. These are significant aspects of Applicants' invention.

In the instant final Office action, the Office takes the position that while the maximum amount of the water-soluble film forming polymer material taught in Fox is 28% by weight, the claimed invention and the Fox reference are comprised of the same components that are useful in personal care products, and as such, it would be obvious to vary and/or optimize the amount of the water soluble polymer provided in the composition of Fox to arrive at the amounts required in Applicants' claim 51. Applicants respectfully disagree as the maximum amount of 28% by weight is well below the range of 40% to 70% by weight as required in claim 51. Furthermore, Fox fails to even recognize the need for including a greater amount of water-soluble polymer material.

Specifically, while Applicants recognize that in *In re Aller*, the Court generally states that "where the general

³ *Id.* at paragraph 6.

conditions of a claim are disclosed in the prior art, it is not inventive to discover the optimum or workable ranges by routine experimentation." Applicants assert that the Office must first consider that the particular parameter was **recognized** as a result-effective variable before the determination of the optimum or workable ranges of the parameter might be characterized as routine experimentation; that is, Fox must recognize the need for including higher amounts of water-soluble polymer material in its composition prior to determining the optimum or workable ranges of water-soluble polymer material (i.e., to modify to include the amounts as required in claim 51).⁴ According to the present invention, the higher amounts of water soluble and/or water dispersible film forming polymeric material are required to ensure structural integrity to the product as the product remains on the lips to provide the desired treatment. By contrast, Fox is directed to a body wash, which is intended to be rinsed from the skin after application. Accordingly, the high amounts of the water soluble and/or water-dispersible film forming polymeric material would be unnecessary in the composition of Fox, and could actually be considered **undesirable** as it would hinder the ability of the body wash to be washed from the skin. Accordingly, Fox fails to teach or suggest a product comprising from about 40% by weight to about 70% by weight of a water-soluble film forming polymeric material. Accordingly, a close reading of the Fox reference may actually teach away from such a modification.

Recognizing that Fox fails to teach or suggest each and every limitation of claim 51, the Office attempts to combine the

⁴ MPEP §2144.05 (II) (B), citing *In re Antonie*, 195 USPQ 6 (CCPA 1977).

Watanabe reference with Fox for a *prima facie* case of obviousness. Watanabe⁵ discloses a film-forming agent comprising a polymeric compound; a humectant; and an oleaginous wax for providing moisture to lips, and to further prevent abnormal drying and chapping of lips.⁶ Examples of polymeric compounds that can be used to form the film-forming agent can include PVA, polyvinyl pyrrolidone, and CMC. Furthermore, the humectant has excellent moisture-retainability and is effective to give moistness to the dried skin and can be, for example, glycerol, propylene glycol, polyethylene glycol, and sorbitol. The oleaginous wax is effective in supplying the skin with a moderate amount of oil to prevent chapping of the skin. Suitable waxes include olive oil, jojoba oil, lanoline, and squalane. The skin film is applied to the lip mucous membrane surface and then the skin film is peeled off of the surface of the lip, either prior to or after the film has dried, to treat the lips.⁷

In order for the Office to show a *prima facie* case of obviousness, M.P.E.P. §2142 requires a clear articulation of the reasons why the claimed invention would have been obvious. Specifically, the Supreme Court in *KSR International Co. v. Teleflex Inc.*, 550 U.S. ___, ___, 82 USPQ2d 1385, 1396 (2007) noted that the burden lies initially with the Office to provide an explicit analysis supporting a rejection under 35 U.S.C. 103. "[R]ejections on obviousness cannot be sustained with mere

⁵ Applicants respectfully note that the Watanabe reference is the same reference as Kyoko (JP 61-176512), which is used in the earlier rejections of the Office action dated January 14, 2008.

⁶ JP 61-176512 at abstract.

⁷ See *Id.* (translation) at page 5, lines 9-16.

conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness.⁸ The Court in KSR International further identified a number of rationales to support a conclusion of obviousness which are consistent with the proper "functional approach" to the determination of obviousness as laid down in *Graham v. John Deere Co.* (383 U.S. 1, 148 USPQ 459 (1966)). Specifically, as previously required by the TSM (teaching, suggestion, motivation) approach to obviousness, one exemplary rationale indicated requires some teaching, suggestion, or motivation in the prior art reference that would have led one of ordinary skill to modify the prior art reference or to combine prior art reference teachings to arrive at each and every limitation of the claimed invention. Specifically, to reject a claim based on this rationale, the Office must articulate the following: (1) a finding that there was some teaching, suggestion, or motivation, either in the reference itself or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings to arrive at each and every limitation of the claimed invention; (2) a finding that there was reasonable expectation of success; and (3) whatever additional findings based on the *Graham* factual inquiries may be necessary, in view of the facts of the case under consideration, to explain a conclusion of obviousness. The Office has failed to meet its burden under number (1) above, as the cited references, alone or in combination, fail to show each and every limitation of Applicants' invention and there is no apparent reason for one

⁸ *In re Kahn*, 441 F.3d 977, 988, 78 USPQ2d 1329, 1336 (Fed. Cir. 2006).
20

skilled in the art to modify and/or combine reference teachings to arrive at each and every limitation. It simply would not have been obvious to one skilled in the art to arrive at Applicants' claimed combinations.

Initially, as noted above, Fox fails to teach or suggest a product comprising from about 40% by weight to about 70% by weight of a water-soluble film forming polymeric material. More particularly, as noted above, the compositions of Fox comprise from about 0.75% to about 5% by weight of a water soluble film forming polymer (e.g., polyvinylpyrrolidone) and from about 6.5% to about 23% by weight of polyvinyl alcohol, which are listed as examples of water-soluble film forming polymeric materials in Applicants' claimed invention. As such, the maximum amount of water-soluble film forming polymeric material for use in the composition as taught in the Fox reference is 28% by weight. Furthermore, as shown in all of the working Examples in the Fox reference, the water soluble film forming polymer is present in the base composition in an amount of about 15.66% by weight (i.e., 1.75% PVP K-30 + 13.91% AirVol 523S (polyvinyl alcohol)). More specifically, the final products produced in the working Examples of the Fox reference teach even lower amounts of water soluble film forming polymers. Specifically, the working Examples show that the base composition is present in the final composition in amounts of from about 19.5-21% by weight. Thus, the compositions set forth in Fox have significantly lower percentages of water-soluble film forming polymeric materials than the products set forth in Applicants' claim 51. Based on this disclosure, there is no apparent reason for one skilled in the art to avoid preparing the compositions of Fox having less

than 40% by weight of water-soluble film forming polymeric material, in direct opposition to the products set forth in Applicants' claim 51.

Furthermore, while the Applicants recognize that the base composition is dried onto the final product, no where in the cited reference is it taught or suggested to what extent the base composition is dried. Specifically, no where in Fox is the final water content of the product disclosed. As such, there is no teaching or suggestion that enough water is removed during the drying process to result in the final product comprising from about 40% by weight to about 70% by weight of a water-soluble film forming polymeric material as required in claim 51.

Watanabe fails to overcome this shortcoming. Specifically, at best, Watanabe discloses using 15% or less by weight of a polymer such as poly (vinyl alcohol), polyvinylpyrrolidone, or cellulose.⁹

Furthermore, even if the cited references taught each and every limitation (which, as noted above, Applicants assert they have not) there is no clear articulated reason for combining the cited references. More specifically, the lip products of Watanabe (and, the single-use lip or body treatment products of the present invention) include a solidifying agent to help solidify the product at or near room temperature. At best, Fox discloses that soap and synthetic surfactant may be added to the base composition until the point at which film formulation, and consequently, the formation of the soluble sheet product, is

⁹ See, e.g., Id. at Examples 1-5. Specifically, water-soluble film forming polymers are present in the compositions in the concentrations as follows: Example 1: 15% by weight; Example 2: 15% by weight; Example 3: 13% by weight; Example 4: 15% by weight; and Example 5: 15% by weight.

adversely effected. Fox continues to explain that soap can be the sole surfactant added to the base composition, or, alternatively, it may be combined with another surfactant for addition to the base composition. Compatible soaps include sodium octanoate and potassium soaps. In contrast to the teaching in Watanabe (and, to the present invention), the purpose of adding the surfactant to the composition of Fox is to aid the disclosed body wash in producing a lather for cleansing. As such, why would one skilled in the art be motivated to combine Fox to include a solidifier from the group as recited in Watanabe (or as required in Applicants' claim 51), which are included to solidify the presently composition at room temperature? There is simply no reason to do so.

As neither reference, alone or in combination, discloses the compositions of claim 51, and further, there is no apparent reason for one skilled in the art to modify/combine the compositions of the references to arrive at the compositions of claim 51, claim 51 is patentable over the cited references.

2. Rejection of the Claims 1, 3-9, 11-12, 14-18, and 49 under 35 U.S.C. §103(a)

Reconsideration is requested of the rejection of claims 1, 3-9, 11-12, 14-18, and 49 under 35 U.S.C. §103(a) as being unpatentable over Fox (U.S. Application Publication No. 2004/0071755) in view of Akihiro, et al. (JP 11-209222), and further in view of Watanabe (JP 61-176512).

Claim 1 is directed to a single-use lip treatment product comprising from about 40% by weight to about 70% by weight of a water-soluble film forming polymeric material, from about 0.01%

by weight to about 50% by weight of a moisturizing agent, and from about 0.1% by weight to about 50% by weight of a solidifying agent. The single-use lip treatment product is a film and comprises a single layer. The product is capable of being substantially dissolvable on lips in no more than about 50 seconds. The single-use lip treatment product is sized and configured for application to the lips, and the solidifying agent is selected from the group consisting of animal waxes, vegetable waxes, mineral waxes, synthetic waxes, bayberry wax, beeswax _{C₃₀} alkyl dimethicone, candelilla wax, carnauba, ceresin, cetyl esters, esparto, hydrogenated cottonseed oil, hydrogenated microcrystalline wax, hydrogenated rice bran wax, japan wax, microcrystalline wax, mink wax, motan acid wax, motan wax, ouricury wax, ozokerite parrafin, PEG-6 beeswax, PEG-8 beeswax, rezowax, rice bran wax, shellac wax, spent grain wax, spermaceti wax, steryl dimethicone, synthetic beeswax, synthetic candelilla wax, synthetic carnuba wax, synthetic japan wax, solid fatty acid esters, fatty alcohols, fatty acids, copolymers or polymeric blends of ethylene, propylene, butylene, styrene, or vinyl acetate, and combinations thereof.

Fox and Watanabe are discussed above. Significantly, Fox and Watanabe, alone or in combination, fail to disclose a composition having the recited components in the specific weight percentages as required in claim 1. Specifically, both cited references fail to teach or suggest a product comprising from about 40% by weight to about 70% by weight of a water-soluble film forming polymeric material as required in Applicants' claim 1. Akihiro, et al. fail to overcome the above shortcoming.

Specifically, Akihiro, et al. disclose a humectant pack material for lip treatment. The pack material includes a polymer gel containing from 0.01 to 80 wt.% humectant and from 10 to 95 wt.% water in a polyacrylamide-based polymer.¹⁰ The polymer gel is obtained by carrying out a water-soluble polymerization of an acrylamide-based monomer with an acrylic-acid (meta) amide. Specifically, a cross-linking acrylamide monomer such as N and N'-methylenebis acrylamide, methylenebis methacrylamide, and N,N, N'-ethylene screw acrylamide, [N, and] N and N'-ethylene screw methacrylamide, 1, and 2-JIAKURIRU amide ethylene glycol, is polymerized using an epoxy cross linking agent, such as ethylene glycol diglycidyl ether, polyethylene glycol, diglycidyl ether, triglycidyl 2 hydroxyethyl isocyanurate, trimethylolpropane polyglycidyl ether, glycerol poly glycidyl either, and sorbitol polyglycidyl ether.¹¹

The resulting polymer gel includes less than 0.3% by weight cross linking monomer and less than 3.0% by weight cross linking agent. The pack material including the polymer gel can be fabricated to be in the shape of a lip.¹² Furthermore, the pack material is designed such that the material is adhered onto the surface of the lip and then removed from the lip after a time period of from 0.1 to 10 minutes to provide moisturization.¹³

Significantly, no where in the Akihiro, et al. reference, is it taught or suggested for the pack material to be a water-

¹⁰ JP 11-209222 at abstract.

¹¹ See translation of *id.* at paragraph 10.

¹² See translation of *id.* at paragraphs 4 and 20. Specifically, as disclosed in paragraph 20, the configuration of the pack material can be an ellipse form, circular, a lip form, a heart form, a hemicycle, a half-ellipse form, a rectangle, etc.

soluble material (such as the material in the Fox reference, and further, in Applicants' claimed invention), capable of solubilizing on the skin for a suitable treatment thereof and, more specifically, nowhere is it disclosed that the pack material is substantially dissolvable on lips in no more than about 50 seconds. While, as noted above, the polymer gel is obtained by carrying out a water-soluble polymerization; there is nothing to suggest that the resulting gel, and resulting pack material, is water-soluble. Moreover, as noted above, the gel must be **removed** from the surface of the skin after a short period of time has lapsed; that is, the gel will not substantially dissolve upon contact with moisture on the lips. As such, the pack material of Akhiro, et al. is not, and cannot, dissolve on lips in no more than about 50 seconds.

Further, as taught in paragraph 22 of the translated reference, the pack material suitably is configured to have a multi-layer structure. This is in direct opposition to the single layer required in claim 1 (and further, as desired for the composition of Fox, as indicated by the Office in the present Office action).

In the present final Office action, the Office takes the position that Akhiro, et al. was used solely to teach that lip treatments comprised of humectants provide moisturization to the lips, which further addresses the limitation of a composition that contains a humectant being beneficial as a lip treatment. Akhiro also teaches that lip treatment sheets can be sized and configured to fit the lips. While Applicants do not argue that

¹³ See translation of *id.* at paragraph 23.

Akihiro, et al. teach a humectant and treatment sheets that can be sized and configured to fit the lips, there is simply no reason for one skilled in the art to combine the Akihiro, et al. reference with the cited references to arrive at Applicants' claimed invention. Particularly, as noted above, the polymer gel of Akihiro, et al. is obtained by carrying out a water-soluble polymerization; that is, there is nothing to suggest that the resulting gel, and resulting pack material, is water-soluble. Furthermore, as noted above, the gel must be removed from the surface of the skin after a short period of time has lapsed; that is, the gel will not substantially dissolve upon contact with moisture on the lips. The above attributes are in direct contrast to the product of Fox. Additionally, Akihiro, et al.'s pack material suitably is configured to have a multi-layer structure, which also is in opposition to the single layer product required in Fox. Based on the foregoing, one skilled in the art would not, and could not, be motivated to combine the Akihiro, et al. reference with the Fox reference.

Additionally, a close reading of the references actually teaches away from a combination as the compositions and products produced in the cited references are designed to solve substantially different problems using different mechanisms. For example, to treat the lip/skin using the polymer gel of the pack material of Akihiro, et al. and/or the skin film of Watanabe, Akihiro, et al. and Watanabe teach applying their products to the lip surface, and further peeling the material

from the surface after a short period of time.¹⁴ As such, one skilled in the art, reading the Akihiro, et al. and Watanabe references, would not, and could not, reasonably use the polymer gel of Akihiro, et al. nor the film of Watanabe in the compositions of the Fox reference, which are designed to dissolve and lather in water to produce a body cleansing product for cleaning the surface of the skin. Accordingly, there is simply no reason to combine the references to arrive at each and every limitation of Applicants' claim 1.

As the references, alone or in combination, fail to teach or suggest all of the elements of claim 1 and, further, there is no motivation or apparent reason to combine the cited references to arrive at each and every limitation of Applicants' claim 1, claim 1 is patentable over the cited references.

Claims 3-9, 11, 12 and 14-18 depend directly or indirectly from claim 1 and are thus patentable for the same reasons as set forth above for claim 1 as well as for the additional elements they require.

3. Rejection of the Claims 19-22, 24-25 and 27-30 under 35 U.S.C. §103(a)

Reconsideration is requested of the rejection of claims 19-22, 24-25 and 27-30 under 35 U.S.C. §103(a) as being unpatentable over Fox (U.S. Application Publication No. 2004/0071755) in view of Akihiro, et al. (JP 11-209222) and Watanabe (JP 61-176512), and further in view of Yang et al. (WO 03/030881).

¹⁴ See JP 11-209222 at column 2, lines 32-42, and JP 61-176512 at page 5,

Claim 19 is similar to claim 1, as discussed above, and further requires the water-soluble film forming polymeric material to be pullulan and the moisturizing agent to be glycerin.

The Fox, Akihiro, et al., and Watanabe references are discussed above. Significantly, as discussed above, the Fox, Akihiro, et al., and Watanabe references fail to teach or suggest a product comprising from about 40% by weight to about 70% by weight of pullulan as required in Applicants' amended claim 19.

In addition, as noted by the Office, the Fox, Akihiro, et al., and Watanabe references fail to teach or suggest the specific water-soluble film forming polymeric material being pullulan as required in claim 19. Furthermore, the above cited references fail to provide a reasoning for combining the references to arrive at each and every limitation of Applicants' claimed combination. Yang et al. fail to overcome the above shortcomings.

Yang, et al. disclose an edible, ingestible water-soluble delivery system in the form of a film composition. The film composition comprises a glucan, such as pullulan, and a water-soluble polymer. Furthermore, the film composition can contain a polar solvent and a pharmaceutical active such as for administration to a body surface including a mucous membrane, such as oral, anal, vaginal, ophthalmological, surface of a wound, such as during surgery, and similar surfaces.¹⁵

lines 9-16.

¹⁵ WO 03/030881 at pages 6-7, lines 32-2.

Significantly, there is no reason for one skilled in the art to combine the delivery systems of Yang, et al. with the products of the Fox, Akihiro, et al., and/or Watanabe references. Particularly, no where in Yang, et al. is it taught or suggested that their delivery system can even treat and moisturize lips, which is the specific problem to be solved in the 2 of the 3 previously discussed cited references (as well, as in Applicants' claimed invention). Specifically, as noted above, Yang, et al. is directed to edible, ingestible systems for delivering an active ingredient. As such, there is nothing in the Yang, et al. reference or in the general knowledge of one ordinarily skilled in the art, that provides for an apparent reason to use the **edible** delivery system of Yang, et al. with the **lip moisturizing** compositions and products of the Akihiro, et al. or Watanabe references, nor with the body wash of the Fox reference. More particularly, there are numerous moisturizing compositions known in the art, and as such, there is simply no reason to look to an edible, ingestible delivery system of Yang, et al. for such a combination.

Furthermore, as with the Akihiro, et al. reference discussed above, the delivery system of Yang, et al. is suitably a multi-layered film. This is in direct contrast to the composition of Fox. As such, one skilled in the art would actually be taught away from combining the Yang, et al. reference and the Fox reference.

As the references, alone or in combination, fail to teach or suggest all of the elements of amended claim 19, and further, there is no motivation or apparent reason to combine the cited references to arrive at each and every limitation of Applicants'

claim 19, amended claim 19 is patentable over the cited references.

Claims 20-22, 24, 25 and 27-30 depend directly from claim 19 and are thus patentable for the same reasons as set forth above for claim 19 as well as for the additional elements they require.

New Claim 52

New claim 52 is directed to a single-use lip treatment product comprising from about 60% by weight to about 65% by weight of a water-soluble film forming polymeric material, from about 0.01% by weight to about 50% by weight of a moisturizing agent, and from about 0.1% by weight to about 50% by weight of a solidifying agent. The single-use lip treatment product is a film that is capable of substantially dissolving on lips in no more than about 50 seconds and comprises a single layer. Additionally, the single-use lip treatment product is sized and configured for application to the lips. The solidifying agent is selected from the group consisting of animal waxes, vegetable waxes, mineral waxes, synthetic waxes, bayberry wax, beeswax C_{30} alkyl dimethicone, candelilla wax, carnauba, ceresin, cetyl esters, esparto, hydrogenated cottonseed oil, hydrogenated microcrystalline wax, hydrogenated rice bran wax, japan wax, microcrystalline wax, mink wax, motan acid wax, motan wax, ouricury wax, ozokerite parrafin, PEG-6 beeswax, PEG-8 beeswax, rezowax, rice bran wax, shellac wax, spent grain wax, spermaceti wax, sterol dimethicone, synthetic beeswax, synthetic candelilla wax, synthetic carnuba wax, synthetic japan wax, solid fatty acid esters, fatty alcohols, fatty acids, copolymers or

polymeric blends of ethylene, propylene, butylene, styrene, or vinyl acetate, and combinations thereof.

New claim 52 is patentable over the cited references, alone or in combination for the same reasons as claims 1, 19, and 51 set forth above, as well as for the additional elements it requires.

CONCLUSION

In light of the foregoing, Applicants request withdrawal of the rejections of claims 1, 3-9, 11, 12, 14-19, 21, 22, 24, 25, 27-48 and 50-52 and allowance of all pending claims. The Commissioner is hereby authorized to charge any government fees which may be required to Deposit Account No. 01-2384.

Respectfully Submitted,

/Christopher M. Goff/

Christopher M. Goff, Reg. No. 41,785
ARMSTRONG TEASDALE LLP
One Metropolitan Square, 26th Floor
St. Louis, Missouri 63102
314-621-5070

CMG/JMB/mkl
By EFS